

Rex M. Clack, Esq. (SBN 59237)  
 David E. Russo, Esq. (SBN 112023)  
**STERLING & CLACK**  
 A Professional Corporation  
 101 Howard Street, Suite 400  
 San Francisco, California 94105  
 Telephone: (415) 543-5300  
 Facsimile: (415) 543-3335  
 E-mail: rclack@sterlingandclack.com

Attorneys for Plaintiff  
**SUNTRUST BANK**

Myles R. Dresslove, Esq. (SBN 91306)  
 1260 N. Dutton Avenue, Suite 100  
 Santa Rosa, California 95401  
 Telephone: (707) 575-8500

Attorney Specially Appearing for Defendants  
**SERGE GLAZUNOV and**  
**MARGARITA GLAZUNOV**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

**SUNTRUST BANK,**

**Plaintiff,**

**vs.**

**M/Y MARGAUX (Official No. 1050453),**  
**her boats, tackle, apparel, furniture, engines**  
**and appurtenances,**  
*in rem,*

**and**

**SERGE GLAZUNOV and**  
**MARGARITA GLAZUNOV,**  
*in personam,*

**Defendants.**

) Case No.: CV08-05184 SI

) IN ADMIRALTY

) **STIPULATED REQUEST FOR ORDER**  
 ) **CONTINUING INITIAL CASE**  
 ) **MANAGEMENT CONFERENCE;**  
 ) **[PROPOSED] ORDER**

STIPULATION

Plaintiff SunTrust Bank (hereinafter "plaintiff") and defendants Serge Glazunov and Margarita Glazunov, appearing specially (hereinafter "defendants"), hereby stipulate to, and jointly request, pursuant to Civil Local Rules 7-12 and 16-2 and Judge Illston's Case Management Conference Order, an Order continuing the Initial Case Management Conference from March 27, 2009, to May 29, 2009. The parties respectfully submit that a two-month continuance will promote the fair and efficient management of this case, as it will enable them to continue engaging in settlement discussions that, if successful, should obviate further litigation. The parties therefore respectfully submit that good cause exists for an Order continuing the Initial Case Management Conference.

This matter relates to the foreclosure of a preferred ship mortgage sought by plaintiff, the mortgagee, against the mortgagors (defendants) and the mortgaged vessel. The Complaint was filed on November 17, 2008. Service of process was effected on the *in rem* defendant on November 20, 2008. On that day, pursuant to this Court's Orders, the vessel was also placed under arrest. After possession of the vessel was transferred to the court-appointed substitute custodian, plaintiff determined that a deficiency judgment against the *in personam* defendants may become necessary. Those defendants were served on January 20, 2009, and January 22, 2009.

Shortly after the *in personam* defendants were served, counsel for the parties began discussions concerning resolution of this matter. Although no settlement has yet been reached, the discussions have been meaningful and the parties believe that an agreement may materialize in the near future. In that event, it should not be necessary for defendants to answer the Complaint or for any party to engage in formal discovery. On the other hand, if the parties reach an impasse, they will nevertheless have a better understanding of the disputed issues, the necessary discovery, and the likely trial prospects, in turn leading to a more productive Case Management Conference.

In light of the foregoing, the parties stipulate to and respectfully request that the Court grant a 60-day continuance of the Case Management Conference to May 29, 2009, at 2:00 p.m., and reschedule related deadlines as set forth below.

//

1 5/08/2009 Last day to meet and confer re: initial disclosures, early settlement, ADR process  
2 selection, and discovery plan; file ADR Certification signed by Parties and Counsel;  
3 and file either Stipulation to ADR Process or Notice of Need for ADR Phone  
4 5/22/2009 Last day to file Rule 26(f) Report, complete initial disclosures or state objection in  
5 Rule 26(f) Report and file Case Management Statement per Standing Order re  
6 Contents of Joint Case Management Statement.  
7 5/29/2009 Initial Case Management Conference: 2:30 pm  
2:00 p.m., Courtroom 10.

8 SO STIPULATED:

9 Dated: 3/17/09

10 STERLING & CLACK

11 By:   
12 Rex M. Clack  
13 Attorneys for Plaintiff

14 Dated: 3/17/09

15 By:   
16 Myles R. Dresslove  
17 Special Counsel for Defendants

18 PROPOSED ORDER CONTINUING INITIAL CASE MANAGEMENT CONFERENCE

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20 Date: March \_\_\_\_\_, 2009

21 

22 HONORABLE SUSAN ILLSTON  
23 UNITED STATES DISTRICT JUDGE

24 181883/P/StipRequestContCMC